

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

JAMI REBSOM,

Plaintiff,

vs.

STEVE KUNNATH, in his official and
individual capacities; CITY OF
LIVINGSTON, MONTANA; and JAY
PORTEEN, in his official and
individual capacities,

Defendants.

CV 20-01-BLG-SPW

ORDER ADOPTING
MAGISTRATE'S FINDINGS
AND RECOMMENDATIONS

The United States Magistrate Judge filed Findings and Recommendations on Defendant Steve Kunnath's Motion for Summary Judgment (Doc. 42.) and Defendants City of Livingston and Jay Porteen's Motion for Summary Judgment (Doc. 68). (Doc. 84). The Magistrate recommended that each motion be granted. (Doc. 84 at 2).

Pursuant to 28 U.S.C. § 636(b)(1), parties are required to file written objections within 14 days of the filing of the Magistrate's Findings and Recommendation. No objections were filed. When neither party objects, this Court reviews the Magistrate's Findings and Recommendation for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313


(9th Cir. 1981). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000). After reviewing the Findings and Recommendation, this Court does not find that the Magistrate committed clear error.

IT IS ORDERED that the proposed Findings and Recommendations entered by the United States Magistrate Judge (Doc. 84) are ADOPTED IN FULL.

IT IS FURTHER ORDERED that:

1. Defendant Steve Kunnath’s Motion for Summary Judgment (Doc. 42) is GRANTED; and
2. Defendants City of Livingston and Jay Porteen’s Motion for Summary Judgment (Doc. 68) is GRANTED.

DATED this 16th day of March, 2022.


SUSAN P. WATTERS
United States District Judge